



The
UNIVERSITY
of **VERMONT**

Policy V. 4.1.17.2

Responsible Official: Vice President for
Finance and Administration

Effective Date: August 27, 2010

Driver Safety and Motor Vehicle Use

Policy Statement

Authorization to Drive a University Vehicle: Only authorized drivers affiliated with the University of Vermont in the capacity of faculty, staff, or student shall be permitted to drive a University vehicle. Use of a University vehicle is restricted to authorized University related activities. Any liability arising out of the personal use of a UVM owned or rented vehicle is the sole responsibility of the driver. UVM will expect the driver's personal auto insurance to respond in the event of an accident, arising out of personal use.

All drivers of UVM owned, leased, or rented vehicles must be 19 years old and hold a valid U.S. or Canadian license. All drivers for whom driving is an essential function of their job or to whom a University vehicle is regularly furnished, and all drivers of passenger vans must attend UVM Risk Management's Driver Training and have their motor vehicle record checked BEFORE being authorized to drive. (This can take up to 30 working days.) See Risk Management website to enroll: https://www.uvm.edu/~riskmgmt/?Page=driver_train/index.html

Reason for the Policy

To establish policy, procedure, and safety guidelines for UVM faculty, staff, and student use of University owned, leased, and rented vehicles.

Strategic Direction

This policy supports the following goal in the University's Strategic Plan:
http://www.uvm.edu/president/?Page=strategic_planning/strategicplan.html

- Focus the human, fiscal, environmental, technological and physical resources of the University on institutional values and priorities

Applicability of the Policy

This policy applies to all University of Vermont faculty, staff and students

Policy Elaboration

UVM Driver and Passenger Safety Requirements:

1. Driver must be at least 19 years old and in possession of a valid United States or Canadian driver's license at all times when operating a vehicle as a UVM employee, student, or volunteer.
2. Driver shall observe all rules and regulations for safe driving as defined by the State of Vermont Motor Vehicle Department, or by the Department in whose state the vehicle is operated.
3. Safety belts shall be used by all occupants traveling either in a vehicle owned, leased, or rented by UVM or in private vehicles while on University business. Seats should be occupied from front to back.
4. Drinking, possession of intoxicating liquor, illegal drugs in vehicles or driving while under the influence of alcohol or drugs is prohibited.
5. Avoid conditions that lead to loss of control - driving while sleepy or inattentive, or driving too fast for road conditions.
6. If the weather is inclement, stop and stay overnight in a safe place. The additional lodging cost is worth avoiding the risk.
7. Do not use a telephone or text while driving. Stop the vehicle in a safe area to text or use a cell phone, or have a passenger operate it. Texting while driving is illegal in Vermont.
8. All off-campus accidents should be reported immediately to the local police department. If an accident occurs on campus, UVM Police Services should be notified. All accidents should also be reported to UVM's Department of Risk Management (x63242).
9. Employees are responsible for reporting all accidents to their supervisor.
10. Drivers who anticipate towing a trailer are required to attend the Trailer Towing Operations course offered by Risk Management.
11. All departments owning vehicles will schedule regular maintenance of vehicles and their tires. Worn or underinflated tires can increase the risk of rollover.
12. A commercial driver's license (CDL) is required of anyone who drives a vehicle with a gross vehicle weight of more than 26,000 pounds; a vehicle designed to transport more than 16 passengers, including driver; and any size vehicle which requires a hazardous materials placard.

Safety Recommendations:

1. For long distance trips, if there is more than one qualified driver, such drivers should consider rotating every two hours. No driver should drive more than 10 hours during a 24 hour period. If there are not enough drivers to rotate, an overnight stay should be planned. Avoid driving past midnight.
2. Front passenger should remain awake to help keep the driver alert on long distance trips.

15-Passenger Van Safety:

Because of the rollover risks associated with 15-passenger vans, effective June 2003 UVM departments **must** phase out the use of these vehicles with a goal of removing them completely from the University fleet as they depreciate or as existing leases expire. This includes short term rentals as well. Replace old vans with mini-vans or 12-passenger vans ,or mini school buses. (School buses are manufactured to different specific safety requirements, which are more stringent.) In the interim, UVM departments and offices that still own 15-passenger vans must heed the following requirements to reduce the risk of rollover:

1. Drivers of all passenger vans, whether UVM owned, leased or rented, should always be operated by drivers who have attended UVM Risk Management's driver training class and have had a motor vehicle record check done within the last three years. Drivers need to understand the handling characteristics of vans, especially when fully loaded.
2. Evenly load the vehicles and load front first (i.e. empty or remove the back seat). Limit occupant numbers to 10 or less.
3. Place luggage in the rear behind the back seat. Roof loads raise the center of gravity, and hence, the risk of rollover. Remove roof racks.
4. Use charter buses or other contracted transport or mini-vans for long trips greater than 200 miles, whenever possible.
5. Avoid extreme panic-like over-steering.

Motor Vehicle Records Check Criteria:

The Department of Risk Management reserves the right to deny, suspend or revoke driving privileges based on the initial or subsequent review of the motor vehicle record for any faculty, staff or student requesting driving privileges, per the eligibility criteria below for assessing motor vehicle record acceptability.

Anyone with the following violations within the last three years on their motor vehicle record are ineligible to drive a University vehicle for three years from the date of violation:

- DWI
- Driving under the influence
- Negligent homicide
- Operating with a suspended license
- Using a motor vehicle for commission of a felony
- Aggravated assault with a motor vehicle
- Operating a motor vehicle without the owner's consent
- Permitting an unlicensed driver to drive
- Reckless or careless and negligent driving
- Hit and Run or leaving the scene of an accident with injury or death resulting, or property damage in excess of \$1,000.

In addition, anyone with three or more of the following: 1) a moving violation on their motor vehicle record as defined by State statute, 2) an at-fault accident, or 3) violation of any of the

UVM driver safety requirements noted above, over a two year time period, in any combination thereof, may not drive a University vehicle. This prohibition is in effect for three years from the date of the first violation.

Appeals of this process must be submitted in writing to the Director of Risk Management.

Supervisors should regularly do a visual check of employees' driver licenses to assure they possess a current driver's license. A motor vehicle record check is recommended every three years at minimum, or when violations are suspected. (This can be done through Risk Management – x63242.)

Definitions

Insurance/Indemnification: The University of Vermont, as per the terms of its Officers and Employee Indemnification Policy, will provide its officers and employees a legal defense and pay judgments or settlement expenses incurred in connection with civil claims brought against such persons, provided that the individual was acting within the scope of University employment and in good faith.

University insurance or self-insurance shall be used to finance such protection. Any student with claims or actions brought against him/her and resulting from the authorized use of a UVM owned or leased vehicle will be indemnified only to the extent that insurance coverage applies, and only as long as the student follows the driver safety requirements noted above. UVM reserves its right to subrogate its interest against any personal auto insurance a student may have that would respond to such claims.

All physical damage claims are subject to a \$1,000 deductible to be borne by the department or unit.

Any employees who are furnished with a UVM vehicle for their regular use are required to carry "extended non-owned automobile insurance" as an endorsement to their personal auto policy or proof of a "named non-owner policy" if the driver does not already have a personal automobile insurance policy. The purpose of this coverage shall be to protect UVM for claims arising out of the employee's personal use of a UVM vehicle. These coverages are considered primary over any liability insurance UVM may carry.

Traffic Violations are not considered reimbursable costs under UVM's Travel Policy. All violations, including parking tickets and speeding tickets, will be the responsibility of drivers, not UVM.

Trailer Towing: Towing a trailer adds a significant risk to automobile operations. Certain activities require transporting bulky or oversize equipment. Unfamiliarity with a large van plus the increased demands of pulling a trailer necessitates that drivers complete the Trailer Towing Operations safety course offered by Risk Management. (Call x6-3242 to schedule.) All vehicles towing a trailer are restricted to 55 mph.

Use of Personal Vehicles: Mileage Reimbursement for use of an employee's personal vehicle to conduct University business is outlined in the University's Travel policy at <http://www.uvm.edu/~uvmppg/ppg/travel/travel.pdf>

This reimbursement is intended to cover the costs to operate an employee's vehicle, including insurance costs. UVM's insurance is always excess over any personal automobile insurance carried by the employee, who uses his/her/hir personal auto on UVM business. UVM recommends that employees who regularly use their vehicles on University business maintain auto liability insurance with limits of at least \$100,000 for bodily injury and property damage liability.

Procedures

If an Accident Occurs:

1. If there are injuries, always call 911.
2. Notify local police. If on campus, notify UVM Police Services at 656-3473. Risk Management must have a UVM or local police report verifying that an accident occurred.
3. Call the Risk Management Department within THREE days at 656-3242.
4. Notify your supervisor.

To file a Claim:

1. The driver of the UVM vehicle should submit a written statement to Risk Management detailing the accident, parties involved, and estimates of cost to repair the UVM vehicle
2. Damage to UVM-owned and long-term lease vehicles are subject to a \$1,000 deductible per occurrence. (Department to whom vehicle is assigned is responsible for deductible.)
3. If short-term rental vehicle, and Department did not buy collision damage waiver from the rental company, the \$1,000 deductible applies. Otherwise, submit bill to rental company.
4. If vehicle is a leased or rented vehicle, notify the rental company immediately. Failure to do so will void the terms of your rental contract, including any insurance coverage provided under the contract. This may in turn jeopardize UVM's insurance coverage, making the Department responsible for the entire loss.
5. In all claims situations, do not admit fault or liability. Do not sign a statement admitting responsibility for damages or injury. Obtain the facts of the situation and submit them in writing to the Risk Management Department.

Forms

Automobile Accident Claims Reporting Procedure

http://www.uvm.edu/%7Eriskmgmt/?Page=insurance/autopropertyaccidentreport.html&SM=insurance/insuranceclaims_submenu.html

Incident Reporting Form:

http://www.uvm.edu/~riskmgmt/?Page=emergencies/accidentreport.html&SM=emergencies/emergencies_submenu.html

Contacts

Questions related to the daily operational interpretation of this policy should be directed to:

Administrative Assistant to the Director of Risk Management (for training registration)
(802)-656-3242

Assistant, Director Insurance/Claims Management (for reporting accidents)
(802)-656-0307

Safety Specialist (accident prevention advice)
(802)-656-3242

Director of Risk Management (Appeals regarding denial of driving privileges)
802-656-3242

The Vice President for Finance and Administration is the official responsible for the interpretation and administration of this policy.

Related Documents/Policies

Indemnification Policy for Officers and Employees

http://www.uvm.edu/~uvmppg/ppg/general_html/indem.pdf

Automobile Rental

<http://www.uvm.edu/~uvmppg/ppg/procure/autorent.pdf>

Travel

<http://www.uvm.edu/~uvmppg/ppg/travel/travel.pdf>

General Institutional Insurance Protection

<http://www.uvm.edu/~uvmppg/ppg/riskmgm/genins.pdf>

Commercial Driver Testing for Alcohol and Controlled Substances

<http://www.uvm.edu/policies/riskmgm/comdriver.pdf>

Effective Date

Approved by the President August 27, 2010